

ORDINANCE O-3-13

Code of the Town of Cheverly

An Ordinance whereby the Mayor and Council creates a process to allow a limited number of apiaries in community gardens in Town.

WHEREAS, Article VII, Section C-23A(14) of the Charter of the Town of Cheverly grants to the Mayor and Town Council the power to regulate conditions in public spaces; and

WHEREAS, the Mayor and Town Council deem it appropriate to amend the Town to allow a limited number of honey bee hives (apiaries) in the Town's community garden provided that all safeguards are in place to protect the public; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council, in regular session assembled, that Section 4-7 of the Cheverly Code be repealed and reenacted with amendments as follows:

Sec. 4-7. - Raising or keeping certain animals and fowl prohibited, APIARIES.

- **It shall be unlawful for any person to raise or maintain or keep domestic fowl (including pigeons), bees and beehives, livestock or wild animals of any kind within the Town of Cheverly. For the purpose of this section, livestock shall include, but is not limited to, cows, sheep, goats, swine, mules, donkeys, horses or ponies.**
- **THE TOWN MAY ALLOW A LIMITED NUMBER OF APIARIES TO BE SET UP ON OR NEAR COMMUNITY GARDENS IF THE APIARIES WILL FORM PART OF AN EDUCATIONAL PROGRAM, IF A WATER SUPPLY SHALL BE PROVIDED TO MINIMIZE HONEYBEES FROM SEEKING WATER OFF SITE AND IF THE OWNERS/OPERATORS COMPLY WITH THE MARYLAND DEPARTMENT OF AGRICULTURE REGULATIONS AS THEY PERTAIN TO BEEKEEPING AND THE APIARIES ARE MAINTAINED IN KEEPING WITH BEST MANAGEMENT PRACTICES.**

(Ord. No. 3-88, 7-14-88)

Charter reference—Authority to regulate or prohibit keeping of animals and fowl, § C-23A(21).

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect thirty (30) days from the date of its adoption; provided, however that a fair summary of the Ordinance is published at least once in a newspaper of general circulation in the Town of Cheverly.

INTRODUCED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on May 9, 2013, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on July __, 2013, at which meeting copies were available to the public for inspection.